



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re. Patent Application of:
HARRINGTON ET AL.

Serial No. **09/759,290**

Confirmation No. **2799**

Filing Date: **January 11, 2001**

) Examiner: **Don Nguyen Vo**

) Art Unit: **2631**

For: **PROXIMITY-BASED MAGNETIC FIELD**) Attorney Docket:
GENERATOR FOR CONTROLLING) **71511CIP1**
OPERATION OF RF BURST-)
TRANSMITTING TAGS OF)
GEOLOCATION SYSTEM)

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

Mail Stop AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Assignee, Wherenet Corp, having a mailing address of 2858 De La Cruz Boulevard, Santa Clara, CA 95050, verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 09/759,290 (hereinafter "the '290 Patent Application") and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The Assignment was recorded on April 23, 2001, at Reel 011785, Frame 0792.

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the '290 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,476,719. Assignee hereby agrees that any patent so granted on the '290 Patent Application shall be enforceable only for and during such period that it and the '719

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Patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignee, the undersigned is the attorney of record.

Authorization is given to charge the Terminal Disclaimer fee of \$110.00 to the credit card listed on the attached credit card payment form PTO-2038. Authorization is given to charge any fee deficiencies to Account No. **01-0484**.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Regan", written over a horizontal line.

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 21st day of June, 2004.


